

HEALTH DEPARTMENT

The 25th October, 1978

No. 7/33/78-4HBII.—In exercise of the powers conferred by sub-section (1) of section 9 of the Prevention of Food Adulteration Act, 1954 (Central Act 27 of 1954), read with rule 8 of the Prevention of Food Adulteration Rules, 1955, the Governor of Haryana hereby appoints the persons mentioned below to be the food inspectors for the whole of the State of Haryana excepting railway stations and railway premises:—

1. Shri Sant Lal Anand, Government Food Inspector.
2. Shri Ram Singh, Government Food Inspector.

Further, in exercise of the powers conferred by sub-section (2) of section 9 of the Prevention of Food Adulteration Act, 1954, the Governor of Haryana hereby specifies the Local (Health) Authority, Incharge of Health Administration of the Local area, wherein the aforesaid Food Inspectors are posted, to which they shall be officially subordinate.

No. 7/33A/78-4HBII.—In exercise of the powers conferred by sub-section (1) of section 20 of the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954) and all other powers enabling him in this behalf, the Governor of Haryana hereby authorise the food inspectors appointed as such,—*vide* Haryana Government, Health Department, notification No. 7/33/78-4HBII, dated 25th October, 1978, in the local areas of their respective jurisdiction excepting railway stations and railway premises, for the purpose of the said section.

KULWANT SINGH,
Commissioner & Secy.

INDUSTRIES DEPARTMENT

The 23rd/24th October, 1978

No. 37/166/78-II(B).—The Governor of Haryana is pleased to appoint Shri S. D. Bhambri, I.A.S., Chief Secretary to Government, Haryana as Chairman of the Co-ordination Committee for matters relating to Industries Department constituted,—*vide* Haryana Government Notification No. 37/166/78-II(B) dated 8th August, 1978 in place of Shri P. P. Caprihan I.A.S., former Commissioner and Secretary to Government, Haryana Irrigation and Power Department.

V. K. SIBAL,
Commissioner and Secy.

DEVELOPMENT AND PANCHAYAT DEPARTMENT

The 23rd October, 1978

No. 4911-5ECDI-78/7253.—The Governor of Haryana is pleased to order that Shri Behari Singh, Block Development and Panchayat Officer, while holding the charge of the Hathin Block shall also exercise the powers of Drawing and Disbursing and Controlling Officer in respect of Palwal Block till Shri Rup Singh Jakhar as Block Development and Panchayat Officer in Palwal Block or some other alternative arrangement is made. However, Shri Behari Singh shall not be entitled to any extra remuneration for this job.

A. N. MATHUR, Secy.

EDUCATION DEPARTMENT

The 13th October, 1978

No. 2/36-78-EDU-II(I).—In continuation of Haryana Government Notifications No. 2/36-78-Edu. II(I), dated the 11th September, 1978 and No. 2/36-78-Edu. II(I), dated the 15th September, 1978 and in exercise of the powers conferred by sub-section (4) of section 3 of the Haryana Board of School Education Act, 1969 (as amended by Haryana Act No. 2 of 1970), the Governor of Haryana is pleased to prescribe the following terms and conditions for the appointment of Dr. Raja Ram as Chairman of the Board of School Education, Haryana, from the date he took over the charge:—

(1) Pay:

He shall be entitled to Rs 2,500 P.M. as pay.

(2) *C. C. A:*

He shall be entitled to the payment of Chandigarh Compensatory Allowance at the rate of 12½% of his pay subject to the maximum of Rs 75 in accordance with the Government instructions contained in circular letter No. 6283-3FR-74/37134, dated the 22nd October, 1974.

(3) *Accommodation :*

The Board should hire the private accommodation on rent for him subject to the upper limit of Rs 1,000 per mensem and charge him 10% of his salary. There should, of course, be no facility of furnishing the house.

(4) *Contributory Provident Fund :*

He shall be entitled to the full benefit of the Board's C.P.F. Scheme from the date of his appointment as Chairman of the Board.

(5) *Leave and Medical Facilities :*

He shall be entitled to Leave and Medical facilities in accordance with the rules of the Board.

(6) *Conveyance :*

He will be provided with a car for local use and journeys on tour. If he possesses and uses his own car, he will be granted an allowance for its maintenance not exceeding Rs 300 per mensem.

(7) *T. A./D. A. :*

He shall be entitled to travelling allowance/daily allowance as admissible to other officers of his status working under the Haryana State Government.

(8) *Telephone :*

He will be provided with telephone facility at the office as well as at the residence, provided that the total number of local calls, from the residence telephone, shall not exceed 3000 per quarter. The cost of private trunk calls shall be recovered from him.

II. This issues with the concurrence of the Finance Department conveyed,—*vide* U. O. No. 28/9/78-2FD-II, dated the 13th October, 1978.

G. V. GUPTA, Secy.

LABOUR DEPARTMENT

The 9th October, 1978

No. 11(112)-3Lab-78/8838.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Khosla Oil and General Mill, Kundli (Sonapat) :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 67 of 1977

Between

SHRI O. P. MISHRA WORKMAN AND THE MANAGEMENT OF M/S KHOSLA OIL
AND GENERAL MILL, KUNDLI (SONEPAT)

Present,—

Shri M. S. Rath, for the workman.

Shri Shri Kanwal Singh, for the management.

AWARD

By order No. 1D/RK/465-A-77/23493, dated 16th June, 1978, the Governor of Haryana referred the following dispute between the management of M/s Khosla Oil and General Mill, Kundli (Sonapat)

and its workman Shri O. P. Mishra to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri O. P. Mishra was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 19th December, 1977 :—

1. Whether Shri O. P. Mishra was employed by the management concerned as a workman within the definition of this term as given in section 2 (s) of the Industrial Disputes Act, 1947?
2. Whether the reference is bad in law on account of the preliminary objection number 2 of the written statement?
3. In case of proof of issue No. 1 whether the termination of services of Shri O. P. Mishra was justified and in order? If not, to what relief is he entitled?

The case was fixed for the evidence of the workman. The workman examined himself as WW-1 and Shri Gaya Parshad and closed their case. The case was then fixed for the evidence of the management. It was at this stage that the learned representatives for both the parties and the workman himself gave statement that the factory of the management is closed for the last three or four months. The workman agreed that his dispute may be deemed satisfied if back wages are awarded in his favour. He has stated that his wages were Rs. 300 per mensem. He has further stated that he was also getting Rs. 50 per mensem additional, but that was oral payment and there was no record for the payment of Rs. 50 per mensem to him. The workman further stated that he was getting T. A. also. I have considered the evidence of the workman as well as the statement of the representative for the management that the factory is closed. When the factory has been closed, the question of reinstatement of the workman does not arise. I do not believe this part of the statement of the workman that he was getting Rs. 50 per mensem in addition to wage as there is no documentary evidence in that behalf, moreover even according to the workman this sum of Rs. 50 was in addition to the wages which I cannot award as far as T. A. is concerned that is out of question because that was only payable to the workman when he was performing duty out of the headquarters. The reinstatement of the workman has become out of question. I, while answering this reference, give my award that the workman is entitled to full back wage @ 300 per mensem from 1st February, 1977 to the date of the award i. e. upto 1st September, 1978. This sum of back wages calculated comes to Rs. 5,800 only, which the workman is entitled to receive from the management against his back wages.

Dated the 11th September, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2698, dated the 26th September, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 24th October, 1978

No. 11 (112)-3 Lab-78/9262.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Swastika Metal Works, Jagadhri.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 94 of 1978

between

SHRI JAGDISH WORKMAN AND THE MANAGEMENT OF M/S SWASTIKA METAL
WORKS, JAGADHARI

AWARD

By order No. ID/AMB/316-G-75/69885, dated 2nd December, 1975 the Governor of Haryana referred the following dispute between the management of M/s. Swastika Metal Works, Jagadhari and its workman Shri Jagdish to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act:—

Whether the termination of services of Shri Jagdish was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference notices were issued to the parties. The parties appeared and filed their pleadings. It was at this stage that the management pleaded the settlement. The representative for the workman admitted his signatures on the settlement. The settlement relates to the dispute referred to. According to the settlement the workman has received all his dues and has prayed that no dispute award may be given. I, therefore, answer the reference and give my award that the termination of services of the workman was justified and in order and he is not entitled to any relief as he has already settled his dispute.

Dated the 27th September, 1978.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2224, dated 12th October, 1978

Forwarded (for copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/9263.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Oriental Engg. Works (P) Ltd., Yamuna Nagar:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 31 of 1978

between

SHRI KHILASI WORKMAN C/O. T.U. OFFICE, KHERA MOHALLA,
YAMUNA NAGAR AND THE MANAGEMENT OF M/S. ORIENTAL
ENGG. WORKS (P) LTD., YAMUNANAGAR

AWARD

By order No. ID/AMB/10-78/8051, dated the Governor of Haryana referred the following dispute between the management of M/s. Oriental Engg. Works (P) Ltd., Yamunanagar and its workman Shri Khilasi to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Khilasi was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. Lastly the representative for the parties stated that the dispute

has been settled. The representative for the workman stated that he withdrew the dispute. In view of the settlement I give my award that the termination of services of the workman was justified and in order. He is not entitled to any relief as the dispute has been settled.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated the 27th September, 1978.

No. 2223, dated the 12th October, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/9264.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Depro Foods Limited, Rai, Sonapat :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 106 of 1977

between

SHRI Y.C. BHATNAGAR WORKMAN, B-8/515, LODHI COLONY, NEW DELHI C/O CHEMICAL WORKERS UNION, 2/216, KATH MANDI, SONEPAT AND THE MANAGEMENT OF M/S. DEPRO FOODS LIMITED, RAI, SONEPAT

Present :

Shri Y. C. Bhatnagar, workman. in person.

Nemo, for the management.

AWARD

By order No. ID/RK/297-77/40235, dated 20th September, 1978, the Governor of Haryana, referred the following dispute between the management of M/s. Depro Foods Limited, Rai, Sonapat and its workman Shri Y. C. Bhatnagar, to this Court for adjudication, in exercise of the powers conferred by clause (c), sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Y. C. Bhatnagar, was justified and in order ?
If not, to what relief is he entitled ?

On receipt of order of reference notices were issued to the parties. The parties appeared. The workman filed his claim statement and the management filed written statement. Then the case was fixed for filing replication by the workman. Thereafter the representative for the management did not appear. Therefore, the management was proceeded *ex-parte* and the case was fixed for *ex-parte* evidence of the workman. Thereafter the management moved an application for setting aside the *ex-parte* proceedings which my learned predecessor set aside. Again the management did not appear on next date of hearing and the case was called for several times. Again *ex-parte* proceedings were ordered against the management and the case was fixed for *ex-parte* evidence of the workman. The workman examined himself as his own witness who stated that he was appointed on 9th September, 1972 as a clerk at a monthly wage of Rs 265. The management refused to give him work on 12th March, 1977. He gave letter dated 14th March, 1977 to the management which is Ex. W-1. It was received

by the management but was not replied by them. Then he gave his demand notice. Arguments were heard. I believe in this statement of the workman made on s.a., although ex-parte and also that the services of the workman were terminated unjustifiably whereas he had more than 4 years service at his credit. While answering the reference I give my award that the termination of services of the workman Shri Y.C. Bhatnagar was neither justified nor in order. He is entitled to reinstatement with continuity of service and full back wages. I set aside the said termination.

NATHU RAM SHARMA,

Dated the 29th September, 1978

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2220 dated the 12th October, 1978.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/9268.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak, in respect of the dispute between the workman and the management of M/s. Hindustan Potteries, Bahadurgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 44 of 1976

between

SHRI HARISH CHAND, WORKMAN AND THE MANAGEMENT OF M/S HINDUSTAN
POTTERIES BAHADURGARH.

Present.

Shri S. K. Goswamy for the management.

Nemo for the workmen.

AWARD

By order No. ID/RK/244-D-75/20353, dated 15th June, 1976, the Governor of Haryana, referred the following dispute between the management of M/s. Hindustan Potteries, Bahadurgarh and its workman Shri Harish Chand, to this Court, for adjudication, in exercise of the powers conferred by clause(c), sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Harish Chand was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties following issues were framed by my learned predecessor on 3rd May, 1977.

1. Whether the workman concerned lost his lien on the job under the Certified Standing Orders of the management as a result of his long continued absence from duty?
2. Whether the termination of services of Shri Harish Chand was justified and in order? If not, to what relief is he entitled?

The management examined Shri Moti Lal their Mangner as MW-1 who stated that the workman absented himself with effect from 6th June, 1974 thereafter they sent a letter to him copy whereof is Ex. M-1 through registered post. He tendered in evidence the copy of the report of Labour Officer Ex. M-3.

He further stated that the management again issued him letter dated 8th August, 1974 copy is Ex. M-4 through registered post. He also adduced in evidence a correct copy of relevant Standing Orders No. 11-H and closed his case. Then the case was fixed for the evidence of the workmen who took several adjournments and lastly did not appear on 18th August, 1977, neither his representative appeared. Argument of the management were heard. I decide issue wise. I believe the statement of MW-1 that the workman absented himself with effect from 6th June, 1974. The demand notice is dated 10th March 1975. Ex. M-1 dated 26th June, 1974 is addressed to the workman asking him to report for duty and the management were willing to keep him in service. Ex. M-2 and M-3 is the report of the Labour-cum-Conciliation Officer who held that the workman was absenting and the management were ready to take him back on duty and the management have not terminated the service of the workman. Ex. M-4 is the letter which the management wrote to the workman that after waiting for long they struck off his name in accordance with their Certified Standing Orders. In view of the reliable evidence of the management. I decide issue No. 1 in favour of the management.

Issue No. 2.—Issue No. 2 requires decision when issue No. 1 is not proved in favour of the management. I have decided issue No. 1 in favour of the management hence decision on issue No. 3 is not necessary. As a result of my findings on the issue I answer the reference and give my award that the workman lost his lien on his job by remaining absent for more than the period prescribed in the Standing Orders of the management and the management did not terminate his services. The workman is not entitled to any relief.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated the 26th September, 1978.

No. 2221, dated the 12th October, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

G. V. GUPTA, Secy.

POWER DEPARTMENT

The 12th October, 1978

No. 9/37/78/DSPWII.—In pursuance of the Provision of section 48 of the Land Acquisition Act, 1894, and all other powers enabling him in this behalf the Governor of Haryana hereby withdraw from acquisition, the Land specified therein, with respect to which a notification under section 4 of the said Act was issued,—vide Haryana Government notification No. 1260-5PWII-77/11608, dated 15th April, 1978.

The 20th October, 1978

No. 9/49/78/DSPWII.—Whereas it appears to the Governor of Haryana that land is required to be taken by the Government for a public purpose, namely for the construction of 33 K. V. sub-station at Chandauli, tehsil Panipat for the Haryana State Electricity Board, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, to all who it may concern.

In exercise of the power conferred by the aforesaid Section, the Governor of Haryana is pleased to authorise the officers with their servants and workmen for the time being engaged in the undertaking to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Further in exercise of the power under the said Act, the Governor of Haryana is pleased to direct that action under Section 17(1) of the said act shall be taken in this case on the grounds of urgency viz the construction of 33 k. v. Sub-Station which is urgently required due to heavy demand of connections from the public and for the improvement in the existing distribution system and provisions of section 5-A ibid will not apply in regard to this acquisition.

SPECIFICATIONS

District	Tehsil	Locality village and H. B. No.	Total Area in acres	Khasra No.	Description of land Area		
					Bigha	Biswa	
Karnal	Panipat	V. Chandauli H. B. No. 6	4.406 acres	317	3	00	
				322	3	00	
				321	3	18	
				316	3	00	
				323	3	00	
				324	3	00	
				325	2	05	
				Total :		21	03
				Acres		Bigha	Biswa
4		1	19				

No. 9/52/78/DSPWII.—Whereas it appears to the Governor of Haryana that land specified below is needed by the Government, at public expense, for a public purpose, namely, for construction of 33 K.V. Sub-station at village, Ramba, it is hereby notified that the land in the locality specified below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the Land Acquisition Collector, Public Works Irrigation and Power Department Ambala with such officer and officials as may be considered necessary for the purpose by him, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of land in the locality may within a period of thirty days of the publication of this notification, file objection if any, in writing before the Land Acquisition Collector, Public Works (Irrigation and Power) Department, 396 Modal Town, Ambala City.

SPECIFICATION

District	Tehsil	Locality/ Village & H.B. No.	Area	Description of Area Killa No.	
Karnal	Karnal	Ramba H.B. No. 62	A—K—M 5—0—18	K. M.	
				147/6	8—0
				147/7/2	3—2
				147/14/2	5—18
				147/15	8—00
				147/16	8—00
				147/17/2	7—18
					40—18
Total Area 5 Acres 18 Marlas.					